

## ASSIGNEE'S LEGAL QUALIFICATIONS

TABLE I (cont'd)

## PARTIES TO APPLICATIONS

Name and Residence (Home) Address(es)  (a)	Nature of Partnership Interest or Office Held  (b)	Director or Member of Governing Board		% of: Ownership (O) or Partnership (P) or Voting Stock (VS) or Membership (M)  (d)
		YES	NO	
		(c)		

## ASSIGNEE'S LEGAL QUALIFICATIONS

YES NO

5. (b) Does the applicant or any party to this application, own or have any interest in a daily newspaper or cable television system? ☐ YES ☒ NO
- (c) Does the applicant or any party to this application have an ownership interest in, or is an officer, director or partner of, an investment company, bank, or insurance company which has an interest in a broadcast station, cable system or daily newspaper? ☐ YES ☒ NO

If the answer to questions 5(b) or (c) is Yes, attach as Exhibit No. \_\_\_\_\_, a full disclosure concerning persons involved, the nature of such interest, the media interest and its location.

## OTHER BROADCAST INTERESTS

6. Does the applicant or any party to this application have any interest in or connection with the following?

(a) an AM, FM or TV broadcast station? ☒ YES ☐ NO

(b) a broadcast application pending before the FCC? ☐ YES ☒ NO

7. Has the applicant or any party to this application had any interest in or connection with the following:

(a) an application which has been dismissed with prejudice by the Commission? ☐ YES ☒ NO

(b) an application which has been denied by the Commission? ☐ YES ☒ NO

(c) a broadcast station, the license which has been revoked? ☐ YES ☒ NO

(d) an application in any Commission proceeding which left unresolved character issues against the applicant? ☐ YES ☒ NO

(e) If the answer to any of the questions in 6 or 7 is Yes, state in Exhibit No. II-7(e), the following information: ☒ YES ☐ NO

(i) Name of party having such interest;

(ii) Nature of interest or connection, giving dates;

(iii) Call letters of stations or file number of application, or docket number;

(iv) Location.

8. (a) Are any of the parties to this application related to each other (as husband, wife, father, mother, brother, sister, son or daughter)? ☐ YES ☒ NO

(b) Does any member of the immediate family (i.e., husband, wife, father, mother, brother, sister, son or daughter) of any party to this application have any interest in or connection with any other broadcast station or pending application? ☒ YES ☐ NO

If the answer to (a) or (b) above is Yes, attach as Exhibit No. II-8(b), a full disclosure concerning the persons involved, their relationship, the nature and extent of such interest or connection, the file number of such application, and the location of such station or proposed station.

Section II (page 5)

OWNERSHIP AND CONTROL

YES NO

9. Are there any documents, instruments, contracts or understandings relating to ownership or future ownership rights (including, but not limited to, non-voting stock interests, beneficial stock ownership interests, options, warrants, debentures)?

☐ ☒

If Yes, provide particulars as Exhibit No. \_\_\_\_\_.

10. Do documents, instruments, agreements or understandings for the pledge of stock of a corporate applicant, as security for loans or contractual performance, provide that (a) voting rights will remain with the applicant, even in the event of default on the obligation; (b) in the event of default, there will be either a private or public sale of the stock; and (c) prior to the exercise of stockholder rights by the purchaser at such sale, the prior consent of the Commission (pursuant to 47 U.S.C. 310(d)) will be obtained?

N/A  
☐ ☐

If No, attach as Exhibit No. \_\_\_\_\_ a full explanation.

Section III

ASSIGNEE'S FINANCIAL QUALIFICATIONS

1. The applicant certifies that sufficient net liquid assets are on hand or are available from committed sources to consummate the transaction and operate the facilities for three months.
2. The applicant certifies that: (a) it has a reasonable assurance of a present firm intention for each agreement to furnish capital or purchase capital stock by parties to the application, each loan by banks, financial institutions or others, and each purchase of equipment on credit; (b) it can and will meet all contractual requirements as to collateral, guarantees, and capital investment; (c) it has determined that all such sources (excluding banks, financial institutions and equipment manufacturers) have sufficient net liquid assets to meet these commitments.

☒ ☐

☒ ☐

# SECTION IV

## ASSIGNEE'S PROGRAM SERVICE STATEMENT

### FOR AM AND FM APPLICANTS

1. Attach as Exhibit No. IV-1 a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

### FOR TELEVISION APPLICANTS

#### 2. Ascertainment of Community Needs.

- A. State in Exhibit No. \_\_\_\_\_ the methods used by the applicant to ascertain the needs and interests of the public served by the station. Such information shall include (1) identification of representative groups, interests and organizations which were consulted and (2) the major communities or areas which applicant principally undertakes to serve.
  - B. Describe in Exhibit No. \_\_\_\_\_ the significant needs and interests of the public which the applicant believes its station will serve during the coming license period, including those with respect to national or international matters.
  - C. List in Exhibit No. \_\_\_\_\_ typical and illustrative programs or program series (*excluding Entertainment and News*) that applicant plans to broadcast during the coming license period to meet those needs and interests.
3. State the minimum amount of time, between 6:00 a.m. and midnight, the applicant proposes to normally devote each week to the program types listed below (*see definitions in instructions*). Commercial matter, within a program segment, shall be excluded in computing the time devoted to that particular program segment, e.g., a 15-minute news program containing three minutes of commercial matter, shall be computed as a 12-minute news program.

	HOURS	MINUTES	% of TOTAL TIME ON AIR
NEWS	_____	_____	_____
PUBLIC AFFAIRS	_____	_____	_____
ALL OTHER PROGRAMS ( <i>Exclusive of Sports and Entertainment</i> )	_____	_____	_____
LOCAL PROGRAMMING	_____	_____	_____

4. State the maximum amount of commercial matter the applicant proposes to allow normally in any 60-minute segments: \_\_\_\_\_
5. State the maximum amount of commercial matter the applicant proposes to allow normally in a 60-minute segment between the hours of 6 p.m. to 11 p.m. (5 p.m. to 10 p.m. Central and Mountain Times): \_\_\_\_\_
  - (a) State the number of hourly segments per week this amount is expected to be exceeded, if any: \_\_\_\_\_
6. State in Exhibit No. \_\_\_\_\_, in full detail, the reasons why the applicant would allow the amount of commercial matter stated in Question 4 and 5 above to be exceeded.

**SECTION V**

**ASSIGNEE'S EQUAL EMPLOYMENT OPPORTUNITY PROGRAM**

**YES NO**

1. Does the applicant propose to employ five or more fulltime employees?

☒ ☐

If the answer is Yes, the applicant must include an EEO program called for in the Model EEO Program. (FCC Form 398-A).

**SECTION VI**

**Part II — Assignee**

**ASSIGNEE'S CERTIFICATION**

The ASSIGNEE hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended).

The ASSIGNEE acknowledges that all its statements made in this application and attached exhibits are considered material representations, and that all of its exhibits are a material part hereof and are incorporated herein.

The ASSIGNEE represents that this application is not filed by it for the purpose of impeding, obstructing or delaying determination on any other application with which it may be in conflict.

In accordance with Section 1.85 of the Commission's Rules, the ASSIGNEE has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in the information furnished.

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.**

I certify that the assignee's statements in this application are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 17<sup>th</sup> day of June 1990

WILLIAM S. SANDERS

\_\_\_\_\_  
Name of Assignee



\_\_\_\_\_  
Signature



\_\_\_\_\_  
Title

**FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT  
AND THE PAPERWORK REDUCTION ACT**

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, accountants, engineers, and application examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information requested is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 95-579, DECEMBER 31, 1974, 5 U.S.C. 552(e)(3) AND THE PAPERWORK REDUCTION ACT P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

EXHIBIT II-7(e)  
TO  
APPLICATION FOR CONSENT TO ASSIGNMENT

William S. Sanders is also an 86.83% shareholder of Wagontrain Communications, Inc. which, in turn, owns 100% of Arroyo Broadcasting Corporation, licensee of KPER-FM, Hobbs, New Mexico. Mr. Sanders also owns 23.75% of Encantada Broadcasting Corporation, which is licensee of KHEI, Kiehi, Hawaii, and KVIB, Makawao, Hawaii.



EXHIBIT II-8(b)  
TO  
APPLICATION FOR CONSENT TO ASSIGNMENT

Patricia A. Sanders, the wife of proposed assignee, is an officer of Wagontrain Communications, Inc., Arroyo Broadcasting Corporation, and Encantada Broadcasting Corporation. These corporations are the same as those mentioned in Exhibit II-7(e) above.

EXHIBIT IV-1  
(RESPONSE TO SECTION IV QUESTION 1)

Narrative of Proposed Program Service

The applicant has visited the community of license and has listened to the public service and other programming presently broadcast by the existing licensee. In addition, applicant intends to be actively involved in the community and will ascertain problems and needs on a continuing basis through personal involvement in radio station affairs, suitable organizations, civic organizations, and the like.

The applicant will treat the needs and interests of the community through a traditional mix of News, Public Affairs and other Programs. The applicant will air Public Affairs programming both on a regular and "as needed" basis to assure that the significant needs and problems of the community are treated. The applicant will take steps to assure that controversial issues of public importance are treated in its Public Affairs programming.

**BROADCAST EQUAL EMPLOYMENT OPPORTUNITY  
MODEL PROGRAM REPORT**

1. APPLICANT

Name of Applicant <b>William S. Sanders</b>	Address <b>2000 Randolph Road, S.E. Albuquerque, NM 87106</b>
Telephone Number (include area code) <b>(505) 242-5981</b>	

2. This form is being submitted in conjunction with:

☐ Application for Construction Permit for New Station      ☒ Application for Assignment of License

☐ Application for Transfer of Control

(a) Call letters (or channel number of frequency) ..... **KXTQ/KKIK**

(b) Community of License (city and state) .....

(c) Service:      ☐ AM      ☐ FM      ☐ TV      ☒ Other (Specify) **Combined AM & FM in same area.**

**INSTRUCTIONS**

Applicants seeking authority to construct a new commercial, noncommercial or international broadcast station, applicants seeking authority to obtain assignment of the construction permit or license of such a station, and applicants seeking authority to acquire control of an entity holding such construction permit or license are required to afford equal employment opportunity to all qualified persons and to refrain from discrimination in employment and related benefits on the basis of race, color, religion, national origin or sex. See Section 73.2080 of the Commission's Rules. Pursuant to these requirements, an applicant who proposes to employ five or more full-time employees must establish a program designed to assure equal employment opportunity for women and minority groups (that is, Blacks not of Hispanic origin, Asians or Pacific Islanders, American Indians or Alaskan Natives and Hispanics). This is submitted to the Commission as the Model EEO Program. If minority group representation in the available labor force is less than five percent (in the aggregate), a program for minority group members is not required. In such cases, a statement so indicating must be set forth in the EEO model program. However, a program must be filed for women since they comprise a significant percentage of virtually all area labor forces. If an applicant proposes to employ fewer than five full-time employees, no EEO program for women or minorities need be filed.

**Guidelines for a Model EEO Program and a Model EEO Program are attached.**

**NOTE:** Check appropriate box, sign the certification below and return to FCC:

- ☐ Station will employ fewer than 5 full-time employees; therefore no written program is being submitted.
- ☒ Station will employ 5 or more full-time employees. Our Model EEO Program is attached. (You must complete all sections of this form.)

I certify that the statements made herein are true, complete, and correct to the best of my knowledge and belief, and are made in good faith.

Signed and dated this 7<sup>th</sup> day of June, 1990

Signed

Title

*William S. Sanders*  
**WILLIAM S. SANDERS**  
*Chairman*

**WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.  
U.S. CODE, TITLE 18, SECTION 1001.**

## GUIDELINES TO THE MODEL EEO PROGRAM

The model EEO program adopted by the Commission for construction permit applicants, assignees and transferees contains five sections designed to assist the applicant in establishing an effective EEO program for its station. The specific elements which should be addressed are as follows:

### I. GENERAL POLICY

The first section of the program should contain a statement by the applicant that it will afford equal employment opportunity in all personnel actions without regard to race, color, religion, national origin or sex, and that it has adopted an EEO program which is designed to fully utilize the skills of qualified minorities and women in the relevant available labor force.

### II. RESPONSIBILITY FOR IMPLEMENTATION

This section calls for the name (if known) and title of the official who will be designated by the applicant to have responsibility for implementing the station's program.

### III. POLICY DISSEMINATION

The purpose of this section is to disclose the manner in which the station's EEO policy will be communicated to employees and prospective employees. The applicant's program should indicate whether it: (a) intends to utilize an employment application form which contains a notice informing job applicants that discrimination is prohibited and that persons who believe that they have been discriminated against may notify appropriate governmental agencies; (b) will post a notice which informs job applicants and employees that the applicant is an equal opportunity employer and that they may notify appropriate governmental authorities if they believe that they have been discriminated against; and (c) will seek the cooperation of labor unions, if represented at the station, in the implementation of its EEO program and in the inclusion of nondiscrimination provisions in union contracts. The applicant should also set forth any other methods it proposes to utilize in conveying its EEO policy (e.g., orientation materials, on-air announcements, station newsletter) to employees and prospective employees.

### IV. RECRUITMENT

The applicant should specify the recruitment sources and other techniques it proposes to use to attract qualified minority and female job applicants. Not all of the categories of recruitment sources need be utilized. The purpose of the listing is to assist the applicant in developing specialized referral sources to establish a pool of qualified minorities and women who can be contacted as job opportunities occur. Sources which subsequently prove to be nonproductive should not be relied on and new sources should be sought.

### V. TRAINING

Training programs are not mandatory. Each applicant is expected to decide, depending upon its own individual situation, whether a training program is feasible and would assist in its effort to increase the available pool of qualified minority and female applicants. Additionally, the applicant may set forth any other assistance it proposes to give to students, schools or colleges which is designed to be of benefit to minorities and women interested in entering the broadcasting field. The beneficiary of such assistance should be listed, as well as the form of assistance, such as contributions to scholarships, participation in work study programs, and the like.

## MODEL EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

### I. GENERAL POLICY

It will be our policy to provide employment opportunity to all qualified individuals without regard to their race, color, religion, national origin or sex in all personnel actions including recruitment, evaluation, selection, promotion, compensation, training and termination.

It will also be our policy to promote the realization of equal employment opportunity through a positive, continuing program of specific practices designed to ensure the full realization of equal employment opportunity without regard to race, color, religion, national origin or sex.

To make this policy effective, and to ensure conformance with the Rules and Regulations of the Federal Communications Commission, we have adopted an Equal Employment Opportunity Program which includes the following elements:

### II. RESPONSIBILITY FOR IMPLEMENTATION

(Name/Title) General Manager will be responsible for the administration and implementation of our Equal Employment Opportunity Program. It will also be the responsibility of all persons making employment decisions with respect to the recruitment, evaluation, selection, promotion, compensation, training and termination of employees to ensure that our policy and program is adhered to and that no person is discriminated against in employment because of race, color, religion, national origin or sex.

### III. POLICY DISSEMINATION

To assure that all members of the staff are cognizant of our equal employment opportunity policy and their individual responsibilities in carrying out this policy, the following communication efforts will be made:

- ☒ The station's employment application form will contain a notice informing prospective employees that discrimination because of race, color, religion, national origin or sex is prohibited and that they may notify the appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☒ Appropriate notices will be posted informing applicants and employees that the station is an Equal Opportunity Employer and of their right to notify an appropriate local, State or Federal agency if they believe they have been the victims of discrimination.
- ☐ We will seek the cooperation of unions, if represented at the station, to help implement our EEO program and all union contracts will contain a nondiscrimination clause.
- ☐ Other (specify)

#### IV. RECRUITMENT

To ensure nondiscrimination in relation to minorities and women, and to foster their full consideration whenever job vacancies occur, we propose to utilize the following recruitment procedures:

- ☒ We will contact a variety of minority and women's organizations to encourage the referral of qualified minority and women applicants whenever job vacancies occur. Examples of organizations we intend to contact are:

**COMA (Hispanic Chamber of Commerce)**

- ☐ In addition to the organizations noted above, which specialize in minority and women candidates, we will deal only with employment services, including State employment agencies, which refer job candidates without regard to their race, color, religion, national origin or sex. Examples of these employment referral services are:

- ☒ When we recruit prospective employees from educational institutions such recruitment efforts will include area schools and colleges with minority and women enrollments. Educational institutions to be contacted for recruitment purposes are:

**Texas Tech University**  
**Texas Schools, Inc.**

- ☒ When we place employment advertisements with media some of such advertisements will be placed in media which have significant circulation or viewership or are of particular interest to minorities and women. Examples of media to be utilized are:

**West Texas Hispanic News**  
**Lubbock Aavance Journal**

- ☒ We will encourage employees to refer qualified minority and women candidates for existing and future job openings.

## V. TRAINING

- ☐ Station resources and/or needs will be such that we will be unable or do not choose to institute programs for upgrading the skills of employees.
- ☒ We will provide on-the-job training to upgrade the skills of employees.
- ☐ We will provide assistance to students, schools, or colleges in programs designed to enable qualified minorities and women to compete in the broadcast employment market on an equitable basis:

School or Other Beneficiary

Proposed Form of Assistance

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- ☐ Other (specify)

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